

THEODORE J. BOUTROUS JR., SBN 132099
tboutrous@gibsondunn.com
RICHARD J. DOREN, SBN 124666
rdoren@gibsondunn.com
DANIEL G. SWANSON, SBN 116556
dswanson@gibsondunn.com
JAY P. SRINIVASAN, SBN 181471
jsrinivasan@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
333 South Grand Avenue
Los Angeles, CA 90071
Telephone: 213.229.7000
Facsimile: 213.229.7520

VERONICA S. MOYÉ (Texas Bar No.
24000092; *pro hac vice*)
vmoye@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
2100 McKinney Avenue, Suite 1100
Dallas, TX 75201
Telephone: 214.698.3100
Facsimile: 214.571.2900

MARK A. PERRY, SBN 212532
mperry@gibsondunn.com
CYNTHIA E. RICHMAN (D.C. Bar No.
492089; *pro hac vice*)
crichman@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, DC 20036
Telephone: 202.955.8500
Facsimile: 202.467.0539

ETHAN D. DETTMER, SBN 196046
edettmer@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
555 Mission Street
San Francisco, CA 94105
Telephone: 415.393.8200
Facsimile: 415.393.8306

Attorneys for Defendant APPLE INC.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

EPIC GAMES, INC.,

Plaintiff, Counter-
defendant

v.

APPLE INC.,

Defendant,
Counterclaimant.

Case No. 4:20-cv-05640-YGR-TSH

**DEFENDANT APPLE INC.'S UPDATED
LIST OF DISCOVERY EXCERPTS, AUDIO,
AND VIDEO LIKELY TO BE USED AT
TRIAL**

Pursuant to the Court's Standing Order re Pretrial Instructions in a Civil Cases and the Court's Order Regarding Pretrial Schedule (Dkt. 377), Defendant and Counterclaimant Apple Inc. ("Apple"), by and through its undersigned counsel, hereby submits the following updated list of discovery excerpts, audio, and video (excluding deposition designations) likely to be used at trial. The parties are continuing to meet and confer regarding the admissibility of exhibits. Apple reserves its right to use the exhibits in Plaintiff and Counter-defendant Epic Games, Inc.'s ("Epic") respective audio visual exhibit list.

Apple's List of Discovery Excerpts, Audio, and Video Likely To Be Used At Trial

No.	Form of Excerpt	Designation	Epic's Legal Objection
1.	Epic's Responses and Objections to Apple's First Set of Interrogatory Responses, December 11, 2020	Response to Interrogatory No. 2	
2.	Epic's Responses and Objections to Apple's First Set of Interrogatory Responses, December 11, 2020	Response to Interrogatory No. 5	
3.	Epic's Responses and Objections to Apple's First Set of Interrogatory Responses, December 11, 2020	Response to Interrogatory No. 6	
4.	Epic's Responses and Objections to Apple's First Set of Interrogatory Responses, December 11, 2020	Response to Interrogatory No. 7	
5.	Epic's Responses and Objections to Apple's First Set of Interrogatory Responses, December 11, 2020	Response to Interrogatory No. 8	
6.	Epic's Responses and Objections to Apple's First Set of Interrogatory Responses, December 11, 2020	Response to Interrogatory No. 9	
7.	Epic's Responses and Objections to Apple's First Set of Interrogatory Responses, December 11, 2020	Response to Interrogatory No. 10	
8.	Epic's Supplemental Responses to Apple's Interrogatory Nos. 1, 3, and 4, December 29, 2020	Supplemental Response to Interrogatory No. 1	
9.	Epic's Supplemental Responses to Apple's Interrogatory Nos. 1, 3, and 4, December 29, 2020	Supplemental Response to Interrogatory No. 3	
10.	Epic's Supplemental Responses to Apple's Interrogatory Nos. 1, 3, and 4, December 29, 2020	Supplemental Response to Interrogatory No. 4	
11.	Epic's Responses and Objections to Apple's Second Set of Interrogatory Responses, January 29, 2021	Response to Interrogatory No. 12	
12.	Epic's Responses and Objections to Apple's Second Set of Interrogatory Responses, January 29, 2021	Response to Interrogatory No. 13	
13.	Epic's Responses and Objections to Apple's Second Set of Interrogatory Responses, January 29, 2021	Response to Interrogatory No. 15	
14.	Epic's Responses and Objections to Apple's Second Set of Interrogatory Responses, January 29, 2021	Response to Interrogatory No. 16	
15.	Epic's Responses and Objections to Apple's Second Set of Interrogatory Responses, January 29, 2021	Response to Interrogatory No. 18	
16.	Epic's Responses and Objections to Apple's Second Set of Interrogatory Responses, January 29, 2021	Response to Interrogatory No. 19	
17.	Epic's Responses and Objections to Apple's Third Set of Interrogatory Responses, February 15, 2021	Response to Interrogatory No. 21	

No.	Form of Excerpt	Designation	Epic's Legal Objection
18.	Epic's Responses and Objections to Apple's Third Set of Interrogatory Responses, February 15, 2021	Response to Interrogatory No. 22	
19.	Epic's Responses and Objections to Apple's Third Set of Interrogatory Responses, February 15, 2021	Response to Interrogatory No. 23	
20.	Epic's Responses and Objections to Apple's Third Set of Interrogatory Responses, February 15, 2021	Response to Interrogatory No. 24	
21.	Epic's Responses & Objections to Apple's First Set of Requests for Admission, February 15, 2021	Response to Request for Admission No. 1	
22.	Epic's Responses & Objections to Apple's First Set of Requests for Admission, February 15, 2021	Response to Request for Admission No. 2	
23.	Epic's Responses & Objections to Apple's First Set of Requests for Admission, February 15, 2021	Response to Request for Admission No. 3	
24.	Epic's Responses & Objections to Apple's First Set of Requests for Admission, February 15, 2021	Response to Request for Admission No. 4	
25.	Epic's Responses & Objections to Apple's First Set of Requests for Admission, February 15, 2021	Response to Request for Admission No. 5	
26.	Epic's Responses & Objections to Apple's First Set of Requests for Admission, February 15, 2021	Response to Request for Admission No. 6	
27.	Epic's Responses & Objections to Apple's First Set of Requests for Admission, February 15, 2021	Response to Request for Admission No. 7	
28.	Epic's Responses & Objections to Apple's First Set of Requests for Admission, February 15, 2021	Response to Request for Admission No. 8	
29.	Epic's Responses & Objections to Apple's First Set of Requests for Admission, February 15, 2021	Response to Request for Admission No. 9	
30.	Epic's Responses & Objections to Apple's First Set of Requests for Admission, February 15, 2021	Response to Request for Admission No. 10	
31.	Epic's Responses & Objections to Apple's First Set of Requests for Admission, February 15, 2021	Response to Request for Admission No. 11	
32.	Epic's Responses & Objections to Apple's First Set of Requests for Admission, February 15, 2021	Response to Request for Admission No. 17	
33.	Epic's Responses & Objections to Apple's First Set of Requests for Admission, February 15, 2021	Response to Request for Admission No. 19	
34.	Epic's Responses & Objections to Apple's First Set of Requests for Admission, February 15, 2021	Response to Request for Admission No. 20	
35.	Epic's Responses & Objections to Apple's First Set of Requests for Admission, February 15, 2021	Response to Request for Admission No. 21	
36.	Epic's Responses & Objections to Apple's First Set of Requests for Admission, February 15, 2021	Response to Request for Admission No. 22	
37.	Epic's Responses & Objections to Apple's First Set of Requests for Admission, February 15, 2021	Response to Request for Admission No. 24	
38.	Epic's Responses & Objections to Apple's First Set of Requests for Admission, February 15, 2021	Response to Request for Admission No. 27	
39.	Epic's Responses & Objections to Apple's First Set of Requests for Admission, February 15, 2021	Response to Request for Admission No. 28	
40.	Epic's Responses & Objections to Apple's First Set of Requests for Admission, February 15, 2021	Response to Request for Admission No. 32	
41.	Epic's Responses & Objections to Apple's First Set of Requests for Admission, February 15, 2021	Response to Request for Admission No. 36	
42.	Epic's Responses & Objections to Apple's First Set of Requests for Admission, February 15, 2021	Response to Request for Admission No. 37	

No.	Form of Excerpt	Designation	Epic's Legal Objection
43.	DX-3147, Apple Special Event, September 10, 2013, video and transcript	Apple intends to show portions of the video corresponding to the following portions of the transcript: 2:1-3; 5:12-6:3; 11:21-12:24; 24:25-31:4, 44:6-46:25	802
44.	DX-3168, Apple Special Event, dated September 2015, video and transcript	Apple intends to show portions of the video corresponding to the following portions of the transcript: 2:1-4; 12:6-12; 23:3-26-16	802; 602
45.	DX-3269, Apple WWDC 2010, YouTube, December 31, 2011, https://www.youtube.com/watch?v=ldFx1ftxs0A , video and forthcoming transcript	Apple intends to show portions of the video corresponding to the following portions of the transcript: 8:7-11:2, 20:8-21:4	106; 802; 602
46.	DX-3396, Apple Event, WWDC 2017, video and transcript	Apple intends to show portions of the video corresponding to the following portions of the transcript: 3:14-15; 44:24-45:24; 63:7-70:24	802
47.	DX-3418, Apple Special Event, September 2009, video and transcript	Apple intends to show portions of the video corresponding to the following portions of the transcript: 3:17-4:7; 21:5-13; 25:19-26:1; 26:10-28:20	802
48.	DX-3462, Apple WWDC 2014 Keynote Address (HD), video and transcript	Apple intends to show portions of the video corresponding to the following portions of the transcript: 36:11-37:13; 66:18-72:2; 76:21-79:19; 87:19-88:19	802
49.	DX-3485, Tim Sweeney DICE 2020 Talk, video and transcript	Apple intends to show portions of the video corresponding to the following portions of the transcript: 5:6-24; 7:15-8:16; 8:25-9:7; 11:1-11; 13:9-14:6	
50.	DX-3593, iPhone OS 3.0 Software Sneak Peak 2009, video and transcript	Apple intends to show portions of the video corresponding to the	802

No.	Form of Excerpt	Designation	Epic's Legal Objection
		following portions of the transcript: 2:7-16; 3:4-10; 3:19-7:21; 8:15-12:14	
51.	DX-3630, The State of Unreal Engine, GDC 2015 Event Coverage, video and transcript	Apple intends to show portions of the video corresponding to the following portions of the transcript: 2:10-12; 5:11-6:15	
52.	DX-3749, Apple WWDC 2012 Keynote Address, video and transcript	Apple intends to show portions of the video corresponding to the following portions of the transcript: 4:7-6:4; 52:21-53:9; 55:1-4; 61:14-63:6	802
53.	DX-3768, The Future of Gaming - Tim Sweeney (Epic) DICE 2012 Session, video and transcript	Apple intends to show portions of the video corresponding to the following portions of the transcript: 3:15-4:16; 16:7-20; 19:12-20:9; 26:1-23	
54.	DX-4028, Steve Jobs iPhone 2007 Presentation (HD), available at https://www.youtube.com/watch?v=vN4U5FqrOdQ , video and transcript	Apple intends to show portions of the video corresponding to the following portions of the transcript: 2:1-4:7; 15:15-20	802; 602
55.	DX-4176, Apple WWDC 2015 YouTube, June 15, 2015, https://www.youtube.com/watch?v=_p8AsQhaVKI , video and forthcoming transcript	Apple intends to show portions of the video corresponding to the following portions of the transcript: 13:20-19:8, 56:1-57:3	106; 802; 602
56.	DX-4186, Tim Sweeney Dealbook Interview, November 18, 2020 https://www.youtube.com/watch?v=OWJ8TIn3cRM , video and transcript	Apple intends to show portions of the video corresponding to the following portions of the transcript: 2:3-5; 3:5-19; 8:7-9:6	802; 602
57.	DX-4251, September 13, 2018, YouTube, https://www.youtube.com/watch?v=wFTmQ27S7OQ , video and forthcoming transcript	Apple intends to show portions of the video corresponding to the following portions of the transcript: 29:4-30:16	106; 802; 602
58.	DX-4287, Apple March 2008 Event, SDK launch, video and transcript	Apple intends to show portions of the video corresponding to the following portions of	802; 602

No.	Form of Excerpt	Designation	Epic's Legal Objection
		the transcript: 2:1-17; 3:16-22; 6:9-25; 17:17-18:19; 19:10-37:4; 50:23-51:12; 52:20-57:13; 58:14-19; 59:5-24; 63:11-17	
59.	DX-4293, Apple Event WWDC 2007, available at https://www.youtube.com/watch?v=ubm2dYzoDW8 , video and transcript	Apple intends to show portions of the video corresponding to the following portions of the transcript: 58:18-60:11	802; 602
60.	DX-4372, Steve Jobs Q&A session following the SDK launch in 2008, video and transcript	Apple intends to show portions of the video corresponding to the following portions of the transcript: 2:23-5:9; 6:13-8:25	802; 602
61.	DX-4380, Nineteen-Eighty-Fortnite video, available at https://www.youtube.com/watch?v=euiSHuaw6Q4 , video and transcript	Apple intends to show the entire video	
62.	DX-4494, Apple iPhone 4S keynote video now available, Slash Gear, October 4, 2011, available at https://www.slashgear.com/apple-iphone-4s-keynote-video-now-available-04185460 , video and transcript	Apple intends to show portions of the video corresponding to the following portions of the transcript: 2:24-7:12	802; 602
63.	DX-4591, Apple Event, WWDC 2018, video and transcript	Apple intends to show portions of the video corresponding to the following portions of the transcript: 2:7-8; 2:21-4:1; 6:9-16; 6:24-7:19; 97:18-100:23	802
64.	DX-5000, Video – Machine Learning and Security: The Good, The Bad, and The Ugly, video and transcript	Apple intends to show portions of the video corresponding to the following portions of the transcript: 6:5-12:7; 26:17-36:19	402; 403; 802; 602; 6(c)
65.	DX-5008, Video – Combination of Features Produces New Android Vulnerability, video and transcript	Apple intends to show the entire video	802; 602; 6(c)
66.	DX-5017, Video - Jekyll on iOS: When Benign Apps Become Evil by Tielei Wang of Georgia Institute of Technology, video and transcript	Apple intends to show the entire video	402; 403; 802; 602; 6(c)
67.	DX-5020, Video - On the Feasibility of Large-Scale Infections of iOS Devices by Tielei Wang of Georgia Institute of Technology, video and transcript	Apple intends to show the entire video	802; 602; 6(c)
68.	DX-5039, Prof. Lee lecture, CS6035_P2_Defense in Depth, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)

No.	Form of Excerpt	Designation	Epic's Legal Objection
69.	DX-5041, Prof. Lee lecture, CS6035_P2_Elements of Intrusion Detection, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)
70.	DX-5081, Prof. Lee lecture, CS6035_P2_Intrusion Detection Approaches, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)
71.	DX-5087, Prof. Lee lecture, CS6035_P2_Knowledge Based Approaches, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)
72.	DX-5088, Prof. Lee lecture, CS6035_P2_Lesson Introduction, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)
73.	DX-5130, Prof. Lee lecture, CS6035_P2_Android Sandbox vs iOS Sandbox, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)
74.	DX-5135, Prof. Lee lecture, CS6035_P2_Code Signing, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)
75.	DX-5153, Prof. Lee lecture, CS6035_P2_Lesson Introduction, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)
76.	DX-5163, Prof. Lee lecture, CS6035_P2_Restricted App Distribution Model, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)
77.	DX-5199, Prof. Lee lecture, CS6035_P3_Georgia Tech Computer and Network Use Policy, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)
78.	DX-5201, Prof. Lee lecture, CS6035_P3_Lesson Introduction, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)
79.	DX-5218, Prof. Lee lecture, CS6035_P3_Security Planning Controls, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)
80.	DX-5219, Prof. Lee lecture, CS6035_P3_Security Planning Security Policy, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)
81.	DX-5233, Prof. Lee lecture, CS6262_L2_Introduction, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)
82.	DX-5234, Prof. Lee lecture, CS6262_L2_Pharmaleaks, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)
83.	DX-5238, Prof. Lee lecture, CS6262_L2_Scamming Aint Easy, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)
84.	DX-5244, Prof. Lee lecture, CS6262_L2_SPAM, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)
85.	DX-5245, Prof. Lee lecture, CS6262_L2_Structure of the Underground, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)
86.	DX-5246, Prof. Lee lecture, CS6262_L2_Traffic PPI Example, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)
87.	DX-5248, Prof. Lee lecture, CS6262_InternetScanning_Introduction, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)
88.	DX-5252, Prof. Lee lecture, CS6262_L8a_CA Risks, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)
89.	DX-5254, Prof. Lee lecture, CS6262_L8a_Certification Authentication, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)

No.	Form of Excerpt	Designation	Epic's Legal Objection
90.	DX-5276, Prof. Lee lecture, CS6262_L6b_Android Malware, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)
91.	DX-5283, Prof. Lee lecture, CS6262_L6b_Forensics Quiz ANS, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)
92.	DX-5287, Prof. Lee lecture, CS6262_L6b_Information Leakage Protection, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)
93.	DX-5293, Prof. Lee lecture, CS6262_L6b_Mobile Malware Detection, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)
94.	DX-5294, Prof. Lee lecture, CS6262_L6b_STAMP Admission System, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)
95.	DX-5295, Prof. Lee lecture, CS6262_L6b_Toolchain Attacks Quiz ANS, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)
96.	DX-5298, Prof. Lee lecture, CS6262_MobileMalware Introduction, video and transcript	Apple intends to show the entire video	402; 403; 802; 6(c)

DATED: April 25, 2021

GIBSON, DUNN & CRUTCHER LLP

By: /s/ Richard J. Doren

Richard J. Doren

*Attorney for Defendant and Counterclaimant
Apple Inc.*